

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NATIONAL JOB CORPS ASSOCIATION,
JOCELYN RIVERA, ADAMS AND
ASSOCIATES, INC., ALTERNATE
PERSPECTIVES, INC., EDUCATION &
TRAINING RESOURCES, LLC,
STRATEGIX MANAGEMENT, LLC,
TRANSPORTATION COMMUNICATIONS
UNION/IAM,

Plaintiffs,

v.

DEPARTMENT OF LABOR, LORI
CHAVEZ-DEREMER, in her official capacity
as Secretary, Department of Labor,

Defendants.

Civil Case No. _____

**PLAINTIFFS' NOTICE OF MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support, the Declarations of Jocelyn Rivera, Donna Hay, Jennifer Wild, Susan Larson, Jonathan Crawley, Brian Fox, Arthur Maratea, and Augustus Collins, the Complaint (Dkt. 1), and all other papers and proceedings herein, Plaintiffs, by and through their counsel, will move this Court at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007, at a date and time to be determined by the Court, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, for grant of a Temporary Restraining Order ("TRO") and Preliminary Injunction against Defendants Department of Labor and Lori Chavez-Deremer, (1) declaring on an interim basis that Defendants' actions eliminating the

Job Corps program, including but not limited to the issuance of termination and non-renewal notices by DOL starting on May 29, 2025, are unlawful, arbitrary and capricious, in excess of statutory authority, a violation of the Administrative Procedure Act, *ultra vires*, and in violation of the separation of powers; (2) enjoining Defendants, their agents, and all persons acting in concert or participation with Defendants from enforcing, implementing, maintaining or giving effect to the elimination of the Job Corps program, including the stop work orders and termination and non-renewal notices delivered to Job Corps center operators starting May 29, 2025; (3) enjoining Defendants, their agents, and all persons acting in concert or participation with Defendants from issuing, enforcing, implementing, maintaining or giving effect to any shutdown tasks, job terminations, or student removals; (4) enjoining Defendants, their agents, and all persons acting in concert or participation with Defendants from taking any further action to eliminate the Job Corps program without Congressional authorization; and granting such other and further relief as this Court may deem just and proper, to remain in effect until such time as the Court can further consider the merits of Plaintiffs' claims.

PLEASE TAKE FURTHER NOTICE that Plaintiffs request emergency relief due to the exigency of the circumstances and the irreparable nature of the injury the TRO and PI would prevent. As set forth in the accompanying Memorandum of Law in Support of Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction, Defendants' actions are clear violations of the Administrative Procedure Act ("APA"), are *ultra vires*, and violate the separation of powers. Absent immediate Court intervention, Plaintiffs will be forced to start shutting down their operations in short order, resulting in displacement of more than 20,000 students and the elimination of thousands of jobs, among other severe and imminent harms.

Pursuant to Local Rule 65.1(a), at approximately 6:00pm on Friday, May 30, 2025, counsel for Plaintiffs emailed Jeffrey Oestericher, Chief of the Civil Division of the United States Attorney's Office for the Southern District of New York, providing notice of Plaintiffs' intention to file an emergency temporary restraining order in the U.S. District Court for the Southern District of New York by June 2, 2025, offering to meet and confer, and providing Plaintiffs' counsel's contact information.

Dated: June 3, 2025
New York, NY

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**Pro hac vice application forthcoming*

*** Admission forthcoming*